

APPLICATION No. **036/SOL/052/2020**


IN THE MATTER of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER of an application by **LWF Distilling
Limited** for a special-licence (off-sales)
pursuant to section 138 of the Act on the
occasions of 'Food and Beverage Expo'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton



DECISION

1. Introduction

This is an application by **LWF Distilling Limited** for a special licence (off-sales) in regard to events to be held at the War Memorial Hall forecourt (Inside Hall if wet), Whanganui. The nature of the event for which the licence is sought is a 'Food and Beverage Expo'. The holder of the licence will have a stall at the expo to sell to event goers for consumption off the premises.

The date and hours sought are –

- **24th October 2020, 11.30 midday to 7.30pm**

2. Application

The application was received on 23 September 2020 and included a site plan, letters from owner/organiser etc.

The application was not advertised and no objection or notice of desire to be heard has been received under section 141 of the Act. Accordingly we deal with the matter on the papers in accordance with section 202(1).

In considering the application for special licence the committee had regard to the following criteria under section 142 of the Act:

- (a) the object of this Act:
- (b) the nature of the particular event for which the licence is sought and, in particular,—
 - (i) whether the applicant is engaged in, or proposes at the event to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods; and
 - (ii) whether the applicant is engaged in, or proposes at the event to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:
- (c) the suitability of the applicant:

- (d) any relevant local alcohol policy:
- (e) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of the licence:
- (f) the days on which and the hours during which the applicant proposes to sell alcohol:
- (g) the design and layout of the premises concerned:
- (h) whether the applicant has appropriate systems, staff and training to comply with the law:
- (i) any areas of the premises that the applicant proposes should be designated as restricted areas or supervised areas:
- (j) any steps the applicant proposes to take to ensure that the requirements of this Act in relation to the sale and supply of alcohol to prohibited persons are observed:
- (k) the applicant's proposals relating to—
 - (i) the sale and supply of non-alcoholic drinks and food; and
 - (ii) the sale and supply of low-alcohol drinks; and
 - (iii) the provision of help with or information about alternative forms of transport from the premises:
- (l) any matters dealt with in any report from the Police, the Medical Officer of Health, or an inspector made under [section 141](#).

3. Reporting Agencies

The following reports were received under section 141 of the Act.

Police Report – No opposition within report received on 5th October 2020.

Medical Officer of Health – No opposition within report received on 12th October 2020.

Licensing Inspector Report – Full report provided by the inspector including assessment of application against section 142 criteria. The Inspector concludes that the application is complete and will likely meet the criteria of the Act. Draft conditions are also offered by the inspector.

The complete file including inspectors report noted the following key points–

- The applicant is an incorporated body. The applicant is a stall holder at an event which holds an on type special licence. The applicant has run similar events around the country.
- Suitability is not challenged.
- The area to be licensed is the stall on the War Memorial Hall forecourt which will be fenced off. Alcohol will only be consumed off the premises. Issuing a special licence should not reduce amenity and good order of the locality.
- The hours appear reasonable for the events being undertaken.
- Certified managers and security is nominated for the event.
- The applicant has asked that the licensed area be designated as 'restricted' for the event and this is supported. The area is shown on the marked up plan and should be clearly delineated on the day.
- Both the Police and MOH have no opposition to the application.

4. Decision

The application for Special Licence is **Approved** for issue subject to the conditions outlined in the inspectors report.

DATED at Whanganui this 14th day of October, 2020.



Secretary
Whanganui District Licensing Agency

